

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5761 of 2016

Arising Out of PS.Case No. -399 Year- 2014 Thana -PIRO District- BHOJPUR

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Saroj Ram Son of Late Ganga Vishnu Dayal Ram Resident of Village - Katar , Police Station - Piro(HusanBajar) District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh 5(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-04-2016

Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Piro (Hushan Bazar) P.S. Case No. 399 of 2014 registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

Sandhya Devi, the daughter of the informant was married to the petitioner six years ago and allegedly, due to non-fulfillment of demand of chain and motorcycle, she was being tortured and assaulted and ultimately she was strangled to death by the petitioner and other in-laws.

Submission is of false implication and that there was cordial relation between the petitioner and his wife, out of the wedlock there are two children, due to some trivial dispute, the wife of the petitioner committed suicide by hanging after bolting the door from inside and this fact has come during investigation

vide para 7, 8, 9 and 10 of the case diary. The petitioner without any fault, suffering in custody since 24.12.2014, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that the witnesses as stated above have not supported the prosecution version and, as such, petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional District and Sessions Judge, Bhojpur Ara in connection with Piro (Hushan Bazar) P.S. Case No. 399 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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